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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA


UNITED STATES OF AMERICA,

Plaintiff,

v.

Jose Victor MIRANDA-Castro,

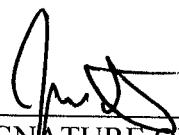
Defendant

08 MAY 16 AM 11:02 '08 MJ 15 28  
Magistrate Docket No. 08 MJ 15 28  
U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA  
BY:  COMPLAINT FOR VIOLATION OF:  
DEPUTY  
Title 8, U.S.C., Section 1326  
Deported Alien Found in the  
United States

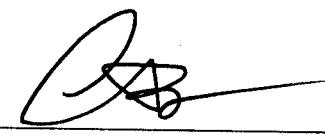
The undersigned complainant, being duly sworn, states:

On or about **May 15, 2008** within the Southern District of California, defendant, **Jose Victor MIRANDA-Castro**, an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

  
SIGNATURE OF COMPLAINANT  
James Trombley  
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 16th DAY OF May 2008

  
Cathy A. Bencivengo  
UNITED STATES MAGISTRATE JUDGE

TVM

**CONTINUATION OF COMPLAINT:****Jose Victor MIRANDA-Castro****PROBABLE CAUSE STATEMENT**

On May 15, 2008, at approximately 1:30 a.m., a Chula Vista Station Scope Operator observed a group of four individuals walking north from the international boundary fence towards an area known as "Johnny Wolfes." This area is located approximately two miles east of the Otay Mesa, California Port of Entry and approximately one-half mile north of the United States/Mexico International Boundary.

Agent Godinez responded and encountered a group of four individuals attempting to hide. Agent Godinez identified himself as a United States Border Patrol Agent and conducted an immigration inspection. All four admitted to being citizens and nationals of Mexico without any immigration documents to be in or remain in the United States legally. All four were placed under arrest transported to the Chula Vista Border Patrol Station for processing.

Routine record checks of the defendant revealed a criminal and immigration history. The defendant's record was determined by a comparison of his criminal record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to **Mexico** on **May 25, 2007** through **San Ysidro, California**. These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.